

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY Eg D.C.  
02 MAY 23 PM 3:24

UNITED STATES OF AMERICA,

Plaintiff,

VS.

No. 01-20226-G

DENNIS LESLIE McCALL,

Defendant.

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CLERK, U.S. DIST. CT.  
W. D. OF TN. MEMPHIS

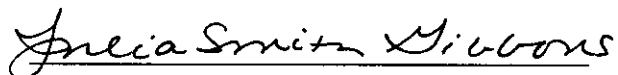
ORDER DENYING RELEASE PENDING APPEAL

Before the court is defendant Dennis Leslie McCall's May 14, 2002, motion to remain on bond pending appeal.

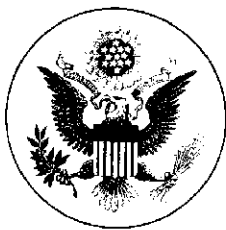
The standard for determining whether a defendant will be released pending appeal is set out in 18 U.S.C. § 3143(b). While the court finds that defendant is unlikely to flee, the court is uncertain whether defendant poses a danger to the safety of any other person or the community. Moreover, it is determinative of the motion that the court cannot find that the appeal is not for purpose of delay and "raises a substantial question of law or fact likely to result in" reversal, an order for a new trial, a sentence that does not include a term of imprisonment or a reduced sentence to a term of imprisonment less than the time

served plus the expected duration of the appeal process. The court notes that the motion mentions no issue to be raised on appeal and no support for any position defendant intends to advance on appeal. Accordingly, the motion is denied.

IT IS SO ORDERED this 23<sup>rd</sup> day of May, 2002.



JULIA SMITH GIBBONS  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 45 in case 2:01-CR-20226 was distributed by fax, mail, or direct printing on May 24, 2002 to the parties listed.

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Honorable Julia Gibbons  
US DISTRICT COURT